

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CESAR V. GONZALEZ, On Behalf of
Himself and All Others Similarly Situated,

Plaintiffs,

v.

TIER ONE SECURITY, INCORPORATED
and SHAWN FLUITT,

Defendants.

CAUSE NO.: 5:12-cv-00806-XR

JURY TRIAL DEMANDED

COLLECTIVE ACTION

CONDITIONAL STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), the parties hereby stipulate to the dismissal of this case, with prejudice, with the condition (by agreement of the parties) that the Court sign the attached order of dismissal retaining jurisdiction in this matter to enforce the parties' settlement agreement should any dispute arise.

Respectfully submitted,

/S/ Michael K. Burke

By: _____

Michael K. Burke

mburke@mmguerra.com

Texas State Bar No.: 24012359

Fed. I.D. No.: 24356

Attorney-In-Charge for Plaintiff

3900 N. 10th St., Suite 850

McAllen, Texas 78501

(956) 682-5999 – Telephone

(888) 317-8802 – Facsimile

Respectfully submitted,

/S/ Michael L. Holland

By: _____

Michael L. Holland

mholland@hollandfirm.com

Texas State Bar No.: 09850750

Attorney-In-Charge for Defendants

1250 N.E. Loop 410, Suite 808

San Antonio, Texas 78209

(210) 824-8282 – Telephone

(210) 824-8585 – Facsimile

Of Counsel for Plaintiffs:

**THE LAW OFFICES OF
MICHAEL M. GUERRA**
3900 N. 10th St., Suite 850
McAllen, Texas 78501
(956) 682-5999 – Telephone
(888) 317-8802 – Facsimile

Marco A. Salinas
borderlawyer@hotmail.com
Texas State Bar No.: 00794583
**KNICKERBOCKER, JASSO,
HEREDIA & STEWART, P.C.**
468 E. Main St.
Eagle Pass, Texas 78852
(830) 773-9228 – Telephone
(830) 773-2582 – Facsimile

Of Counsel for Defendants:

**HORNBERGER, SHEEHAN,
FULLER & BEITER, INC.**
David W. Navarro
Texas State Bar No.: 24027683
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209
(210) 271-1700 – Telephone
(210) 271-1740 – Facsimile

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that he conferred with opposing counsel regarding this filing and they are in agreement.

/S/ Michael K. Burke

Michael K. Burke

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was served upon and forwarded to the following counsel of record in compliance with the Federal Rules of Civil Procedure via the Western District's CM/ECF system on this the 14th day of April, 2014.

Michael L. Holland
Inez McBride
HOLLAND & HOLLAND, L.L.C.
North Frost Center
1250 N.E. Loop 410, Suite 808
San Antonio, Texas 78209

David W. Navarro
HORNBERGER, SHEEHAN,
FULLER & BEITER, INC.
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

/S/ Michael K. Burke

Michael K. Burke